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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,919	02/08/2002	Kazuyoshi Yoshimura	KOH-201; 85780-201	8903

7590 03/05/2004

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EXAMINER

BARBEE, MANUEL L

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,919

Applicant(s)

YOSHIMURA, KAZUYOSHI

Examiner

Manuel L. Barbee

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-11, 14-17 and 20 is/are rejected.
- 7) ☒ Claim(s) 12, 13, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claim 12 is objected to because of the following informalities: In claim 12, line 5 of the claim, delete the second occurrence of "display" and insert --displayed--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding claim 20, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

It is unclear whether the claim includes limitations for digital data of a certain format.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masayasu (JP 2001138978 A) in view of Yagi (US Patent Application Publication 2001/0048081).

With regard to a sensor for detecting environmental data, as shown in claims 8 and 14, Masayasu teaches a client PC with four sensors that detect meteorological data (Abstract). With regard to a server capable of communication with a portable communications means, as shown in claims 8 and 14, Masayasu teaches a server connected with the client PC via the Internet (Abstract). With regard to measured data transmission means for transmitting the environmental data to the server and the server producing environmental data capable of being displayed based on the environmental data transmitted from the portable communication means and transmitting the data back to the portable communications means, as shown in claims 8 and 14, Masayasu teaches having the server receive meteorological data from the PC and transmitting map data and a synoptic weather chart to the PC (Abstract). With regard to displaying the data received from the server, as shown in claim 1, the Masayasu teaches using a display program to display data from the server (Abstract). Masayasu does not teach a portable telephone or communications means, as shown in claims 8 and 14. Masayasu does not teach an adapter connected between a connector on the portable telephone and the sensor for allowing entry of a detected environmental value for amplifying and converting the detected environmental value into measured data that is recognized by the measured data transmission means, as shown in claims 8 and 14.

Yagi teaches a portable information device that may be a portable telephone that includes a sensor and a computer with a display (Fig. 4; Abstract; par. 32). An amplifier and a converter are connected between the sensor and the computer (Fig. 4, amplifier 22, converter 24). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the meteorological observation system to include a portable telephone, because then it would have been easier to carry the instrument to different locations (Yagi, par. 5). It would further have been obvious to one of ordinary skill in the art at the time the invention was made to modify the meteorological observation system, as taught by Masayasu, to include an amplifier and a converter, as taught by Yagi, because then the data would have been converted into a format readable by the computer.

6. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masayasu in view of Yagi, as applied to claims 8 and 14 above, and further in view of Zereski, Jr. et al. (US Patent No. 5,654,886).

Masayasu and Yagi teach all the limitations of claim 8 upon which claim 9 depends and claim 14 upon which claim 15. Masayasu and Yagi do not teach that the server has a database for storing data from the client terminal. Zereski, Jr. et al. teach a multimedia outdoor information system that includes a server that gathers weather information and stores the data in a database (col. 1, line 66 - col. 2, line 20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the meteorological observation network combination, as taught by Masayasu and Yagi, to include a database with the server, as taught by Zereski, Jr. et al., because then data would have been organized for ease of access (Zereski, Jr. et al., col. 1, lines 5-63).

7. Claims 10, 11, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masayasu in view of Yagi and Zereski, Jr. et al. as applied to claims

8, 9, 14 and 15 above, and further in view of Bradlee (US Patent Application Publication 2002/0161624).

Masayasu, Yagi and Zereski, Jr. et al. teach all the limitations of claims 8 and 9 upon which claims 10 and 11 depend and claims 14 and 15 upon which claim 16 and 17 depend. Masayasu, Yagi and Zereski, Jr. et al. do not teach a database that stores recent and past measured data, as shown in claims 10, 11, 16 and 17. Bradlee teaches a data weather source that is a database with current and past weather conditions (par. 30). Masayasu teaches transmitting data, as shown above with regard to claims 8 and 14. It would have been obvious to allow the transmission of available data including recent and past data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the meteorological observation network combination, as taught by Masayasu, Yagi and Zereski, Jr. et al., to include a database with current and past weather conditions, as taught by Bradlee, because then current conditions could have been compared to past conditions and trends in weather conditions could have been observed.

Allowable Subject Matter

8. Claims 12, 13, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims 8-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manuel L. Barbee whose telephone number is 703-308-0979. The examiner can normally be reached on Monday-Friday from 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on 703-308-1677. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-0976.


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
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